



Atty. Dkt. No. 065691-0219

#8
9-18-02
P.2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pierre Chambon et al.

Title: METHOD FOR THE STABLE INVERSION OF DNA
SEQUENCE BY SITE-SPECIFIC RECOMBINATION AND
DNA VECTORS AND TRANSGENIC CELLS THEREOF

RECEIVED

SEP 16 2002

TECH CENTER 1600/2900

Appl. No.: 09/843,150

Filing Date: 04/27/2001

Examiner: P. Paras

Art Unit: 1632

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Box NON-FEE AMENDMENT
Washington, D.C. 20231

Sir:

In response to the restriction requirement set forth in the Office Action mailed August 14, 2002. Applicant hereby provisionally elects Group I, Claims 1-24, for examination, with traverse.

Applicants traverse the restriction requirement on the ground that there is no undue burden on the Examiner to examine all of the groups together. The Examiner has set forth a restriction requirement separating the claims into eight separate groups. It is respectfully submitted that pursuant to the *Official Gazette* notice of March 26, 1996, which establishes guidelines for treatment of product and process claims in light of In re Ochiai, at least claims 33-34 and 41-46 should be included herein for consideration on the merits. At the minimum, method of use claims of the same scope as the DNA and vector claims should be rejoined when the DNA and vector claims are found to be allowable. Specifically, claims 33-34 and 41-46 are directed to methods for stable inversion of a DNA sequence wherein the DNA molecule of Group I is contacted with at least one site specific recombinase targeting sequence.

Applicants also reserve the right to file a divisional application covering the subject matter of the non-elected claims.

Receipt of the initial Office Action on the merits is awaited.

Respectfully submitted,

Date Sept. 13, 2002

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